

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

MAX & ERMA'S RESTAURANT, INC.,

Debtor.

Bankruptcy No. 09-27807-MBM

Chapter 11

Document No.

Related to Doc. Nos. 317, 416 &
743

SECOND STIPULATION TO EXTEND THE EXCLUSIVITY PERIODS

AND NOW, comes Max & Erma's Restaurant, Inc., the Debtor in the above Chapter 11 Case, by and through its Counsel, Robert O Lampl, John P. Lacher and Elsie R. Lampl, and files this **SECOND STIPULATION TO EXTEND THE EXCLUSIVITY PERIODS** as follows:

1. The Movant is Max & Erma's Restaurant, Inc., the Debtor-in-Possession in the above Chapter 11 Case which was commenced on October 23, 2009.

2. Pursuant to 11 U.S.C. Section 1121(b), only the Debtor may file a Plan of Reorganization until 120 days after the date of the order for relief. Pursuant to 11 U.S.C. Section 1121(c)(3), the Debtor has an exclusive period of 180 days after the date of the order for relief to file a plan which has been accepted by each class of claims or interests that is impaired under the plan.

3. By Order of Court dated March 2, 2010, the exclusivity period was extended until June 20, 2010.

4. This Honorable Court granted a stipulation to extend the exclusivity period. (Doc. No. 739).

4. Cause exists to extend the Exclusivity Period in order for the Debtor to proceed with the Plan of Reorganization and Bidding Procedure which has been filed with the Court.

5. A grant of an extension is in the best interest of this Estate and all parties in interest.

6. Specifically, the Debtor requests that the exclusivity period be extended until August 31, 2010.

WHEREFORE, the Movant requests the aforementioned relief.

Respectfully Submitted,

/s/ Robert O Lampl
ROBERT O LAMPL
PA I.D. #19809
JOHN P. LACHER
PA I.D. #62297
ELSIE R. LAMPL
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Consented to:

Date: July 19, 2010

/s/ Amy M. Tonti
Counsel for PNC Bank

Date: July 19, 2010

/s/ Michael R. Roeschenthaler
Counsel for the Unsecured Creditors Committee

So Ordered:

FILED

Date: 7/19/10

Michael R. Roeschenthaler
United States Bankruptcy Court Judge

JUL 21 2010